

REFERENCE TITLE: **census; precinct line freeze**

State of Arizona  
House of Representatives  
Forty-seventh Legislature  
Second Regular Session  
2006

## **HB 2572**

Introduced by  
Representatives Chase, Quelland, Kirkpatrick, Robson

AN ACT

AMENDING SECTION 16-411, ARIZONA REVISED STATUTES; RELATING TO ELECTION PRECINCTS AND POLLING PLACES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Section 16-411, Arizona Revised Statutes, is amended to  
3 read:

4           16-411. Designation of election precincts and polling places:  
5           electioneering

6           A. EXCEPT AS PRESCRIBED BY SUBSECTION I OF THIS SECTION, the board of  
7 supervisors of each county ~~shall~~, on or before December 1 of each year  
8 preceding the year of a general election, by an order, SHALL establish a  
9 convenient number of election precincts in the county and define the  
10 boundaries ~~thereof~~ OF THE PRECINCTS. Such election precinct boundaries shall  
11 be so established as included within election districts prescribed by law for  
12 elected officers of the state and its political subdivisions, including  
13 community college district precincts, except those elected officers provided  
14 for in titles 30 and 48.

15          B. Not less than twenty days before a general or primary election, and  
16 at least ten days before a special election, the board shall designate one  
17 polling place within each precinct where the election shall be held. Upon a  
18 specific finding of the board, included in the order or resolution  
19 designating polling places pursuant to this subsection, that no suitable  
20 polling place is available within a precinct, a polling place for such  
21 precinct may be designated within an adjacent precinct. Adjacent precincts  
22 may be combined if boundaries so established are included in election  
23 districts prescribed by law for state elected officials and political  
24 subdivisions including community college districts but not including elected  
25 officials prescribed by titles 30 and 48. The officer in charge of elections  
26 may also split a precinct for administrative purposes. Any such polling  
27 places shall be listed in separate sections of the order or resolution.

28          C. If the board fails to designate the place for holding the election,  
29 or if it cannot be held at or about the place designated, the justice of the  
30 peace in the precinct ~~shall~~, two days before the election, by an order,  
31 copies of which he shall immediately post in three public places in the  
32 precinct, SHALL designate the place within the precinct for holding the  
33 election. If there is no justice of the peace in the precinct, or if the  
34 justice of the peace fails to do so, the election board of the precinct shall  
35 designate and give notice of the place within the precinct of holding the  
36 election. For any election in which there are no candidates for elected  
37 office appearing on the ballot, the board may consolidate polling places and  
38 precinct boards and may consolidate the tabulation of results for that  
39 election if all of the following apply:

40           1. All affected voters are notified by mail of the change at least  
41 thirty-three days before the election.

42           2. Notice of the change in polling places includes notice of the new  
43 voting location, notice of the hours for voting on election day and notice of  
44 the telephone number to call for voter assistance.

1       3. All affected voters receive information on early voting that  
2 includes the application used to request an early voting ballot.

3       D. The board is not required to designate a polling place for special  
4 district mail ballot elections held pursuant to article 8.1 of this chapter,  
5 but the board may designate one or more sites for voters to deposit marked  
6 ballots until 7:00 p.m. on the day of the election.

7       E. Except as provided in subsection F OF THIS SECTION, a public school  
8 shall provide sufficient space for use as a polling place for any city,  
9 county or state election when requested by the officer in charge of  
10 elections.

11      F. The principal of the school may deny a request to provide space for  
12 use as a polling place for any city, county or state election if, within two  
13 weeks after a request has been made, he provides a written statement  
14 indicating a reason the election cannot be held in the school, including any  
15 of the following:

- 16       1. Space is not available at the school.
- 17       2. The safety or welfare of the children would be jeopardized.
- 18       G. The board shall make available to the public as a public record a  
19 list of the polling places for all precincts in which the election is to be  
20 held including identification of polling place changes that were submitted to  
21 the United States department of justice for approval.

22      H. Except in the case of an emergency, any facility that is used as a  
23 polling place on election day shall allow electioneering and other political  
24 activity outside of the seventy-five foot limit prescribed by section 16-515  
25 in public areas and parking lots used by voters.

26      I. NOTWITHSTANDING SUBSECTION A OF THIS SECTION, THE BOARD OF  
27 SUPERVISORS OF A COUNTY SHALL NOT CHANGE PRECINCT LINES DURING THE PERIOD  
28 AFTER JULY 31, 2008 AND BEFORE JANUARY 1, 2011. THE BOARD OF SUPERVISORS MAY  
29 SUBDIVIDE AN ELECTION PRECINCT FOR ADMINISTRATIVE PURPOSES OR MAY PROVIDE FOR  
30 MORE THAN ONE POLLING PLACE WITHIN THE BOUNDARIES OF THE ELECTION PRECINCTS  
31 ESTABLISHED FOR USE IN VOTING IN ELECTIONS HELD AFTER JULY 31, 2008 AND  
32 BEFORE JANUARY 1, 2011. IN PROVIDING FOR MULTIPLE POLLING PLACES WITHIN A  
33 PRECINCT, THE BOARD OF SUPERVISORS SHALL CONSIDER THE PARTICULAR POPULATION  
34 CHARACTERISTICS OF EACH PRECINCT IN ORDER TO PROVIDE THE VOTERS THE MOST  
35 REASONABLE ACCESS TO THE POLLS POSSIBLE.